



Excise Tax Advisory

Excise Tax Advisories (ETA) are interpretive statements issued by the Department of Revenue under authority of RCW 34.05.230. ETAs explain the Department's policy regarding how tax law applies to a specific issue or specific set of facts. They are advisory for taxpayers; however, the Department is bound by these advisories until superseded by Court action, Legislative action, rule adoption, or an amendment to or cancellation of the ETA.

NUMBER: 345.16.180

CONVERSION DATE: July 1, 1998

AGRICULTURAL COMMODITIES HAULING CLASSIFIED WITHIN MOTOR TRANSPORTATION BUSINESS

Issued May 29, 1970

Does income received for hauling agricultural commodities fall within the Motor Transportation classification of the public utility tax?

The taxpayer objected to a reclassification of income received for hauling agricultural commodities from the Service and Other Activities classification of the business and occupation tax to the Motor Transportation classification of the public utility tax. This was objected to on the ground that while "auto transportation companies" are included within the statutory definition of "motor transportation business" at RCW 82.16.010(9), the term "auto transportation companies" is defined by RCW 81.68.010(3) to specifically exclude hauling agricultural commodities for hire.

The department held as correct the classification Motor Transportation for revenues received from hauling agricultural commodities. While RCW 82.16.010(9) includes the activities of an "auto transportation company," it is not limited to the definition in RCW 81.68.010(3). Rather, "motor transportation business" encompasses the operation of any motor propelled vehicle for hire, which clearly includes the for hire hauling of agricultural commodities.

ETBS have been made Excise Tax Advisories, and have retained their old number. Advisories with a 2 (plus three digits) are new advisories, ETBs that have been revised and readopted after review under the Department's regulatory improvement program, or advisories that have been revised and/or readopted.

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